

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PHILLIP A. VAVRO,

Plaintiff,

v.

A.K.STEEL CO.; UNIVERSITY OF  
MICHIGAN; UNIVERSITY OF  
MICHIGAN SCHOOL OF MEDICINE;  
JAMES W. ALBERS; STANLEY  
BERENT; RAILROAD OCCUPATIONAL  
INTRA-INDUSTRY CLAIMS  
ORGANIZATION; JOHN AND MARY  
DOES 1-100; DOE CORPORATIONS;  
PARTNERSHIPS OR OTHER ENTITIES  
1-100,

Defendants.

**2:05cv321**  
**Electronic Filing**

Judge David S. Cercone  
Magistrate Judge Lisa Pupo Lenihan

**ORDER**

Plaintiff's Complaint was received by the Clerk of Court on March 10, 2005, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on August 3, 2005, recommended that Plaintiff's Motion to Strike Defendants' Joint Motion to Dismiss the Second Amended Complaint pursuant to Rules 7(b)(1) and 12(f), or in the alternative, Motion for a More Specific Pleading pursuant to Rules 7(b)(1) and 12(e), be denied. Service was made on all counsel of record. No objections to the report and recommendation were filed. After review of the pleadings and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this <sup>16</sup>25 day of August, 2005,

**IT IS HEREBY ORDERED** that Plaintiff's Motion to Strike Defendants' Joint Motion to Dismiss the Second Amended Complaint pursuant to Rules 7(b)(1) and 12(f), or in the alternative, Motion for a More Specific Pleading pursuant to Rules 7(b)(1) and 12(e) is **DENIED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation of Magistrate Judge Lenihan, dated August 3, 2005, is adopted as the opinion of the court.



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David Stewart Cercone  
United States District Judge

cc: Honorable Lisa Pupo Lenihan  
U.S. Magistrate Judge

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